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| 465 7590 07/06/2009 YOUNG & THOMPSON 209 Madison Street Suite 500 ALEXANDRIA, VA 22314 | | | EXAMINER HEYI, HENOK G | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/530,030

Applicant(s)

KANEGAE ET AL.

Examiner

HENOK G. HEYI

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2009.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-47 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 26-47 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 01 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 04/21/2009 have been fully considered but they are not persuasive. Applicant argues that the reference Murase does not disclose the "first information" because the "PRM_TXTI" does not indicate the reproduction sequence of the content. However, Murase teaches of a play list with reproduction sequence (please see col 9 lines 5-8, col 9 lines 51-55, col 11 lines 31-33 and col 23 lines 44-58). Applicant argues also that Murase doesn't teach "the third information" (title information). However, Murase clearly teach title information (By storing title information for each user-defined reproduction path, a more informative, user-friendly display can be presented when informing the user of reproduction path content, col 6 lines 57-60).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 26-47 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In amended claims 26-33, 36 and 39-45, applicant introduced new claim language that is not supported by the original disclosure like *first information*, *second information* and *third information* that are all different.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 26-47 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In amended claims 26-33, 36 and 39-45, applicant introduced new claim language that is not supported by the original disclosure like *first information*, *second information* and *third information* that are all different. These terms are indefinite and they don't point out and distinctly claim the subject matter that is disclosed in the specification.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 26-48 are rejected under 35 U.S.C. 102(b) as being anticipated by Murase et al. US 6,285,826 B1 (Murase hereinafter).

Regarding claim 26, Murase teaches an information record medium (see Fig. 1) comprising: a plurality of content informations (FIG. 1 shows the physical sector address area of the disc, and the structure whereby data is recorded to the disc as part of a file system); a plurality of first information each defining a plurality of play list informations

each defining a plurality of play item information each defining reproduction sequence of the plurality of content informations (Stores text information indicative of playlist content, para 11, lines 38-50); second information including address information which designates the part of content informations corresponding to the play item information (stores address information for accessing each M_VOBI, col 15 line 10); and third information designating at least one first information, which corresponds to the content informations to be reproduced, from among the plurality of first information to reproduce the plurality of content informations as a title, the title being a logical information unit of the plurality of content informations (if the play list is a television program, PRM_TXTI could record the name of the show, para 11 lines 38-50) wherein the plurality of content informations are collectively recorded as a file which is different from files for recording the plurality of first informations, the second information and the third information, the second information is collectively recorded as a file which is different from files for recording the plurality of content informations, the plurality of first informations and the third information, the third information is collectively recorded as a file which is different from files for recording the plurality of content informations, the plurality of first informations and the second information (by using a file system, data recorded to the disc can be managed as files and a directory to the files as shown in FIG. 1).

Regarding claim 27, Murase teaches the information record medium according to claim 26, wherein the third information includes at least one title element, and the title element includes a first pointer information to designate at least one first information corresponding to the content informations to be reproduced (playlist titles are shown in

the middle column, such as "Fall in Oze" and "Concert". This information is stored to the PRM_TXTI field of the playlist search pointer PL_SRP in the playlist search pointer table PL_SRPT written to the optical disc, col 26 lines 35-40).

Regarding claim 28, Murase teaches the information record medium according to claim 27, wherein the title element includes, in addition to the first pointer information, at least one of (i) a first pre-command information to indicate a command to be executed before a reproduction of the content information whose reproduction sequence is defined by one first information designated by the first pointer information, (ii) a first post command information to indicate a command to be executed after a reproduction of the content information whose reproduction sequence is defined by said one first information and (iii) a first next information to designate a title element to be reproduced after the presently reproduced title element (The track buffer 7807, decoder 7806, and output section 7805 are initialized by a command from the system controller 7802. The system controller 7802 then instructs the disc drive to seek the start address of the AV data in the first VOB of the selected program, para 27 lines 13-17).

Regarding claim 29, Murase teaches the information record medium according to claim 28, wherein one play list information defining the plurality of play item information each defining the reproduction sequence of the content information to be reproduced is selected by the first pre-command information, from among the plurality of play list informations included in a same first information (Stores the PGC number for the associated playlist. The PGC number is the recording sequence of PGC information, col 11 lines 30-33).

Regarding claim 30, Murase teaches the information record medium according to claim 26, further comprising first pre-command information for selecting one play list information defining the plurality of play item information each defining the reproduction sequence of the content information to be reproduced, from among the plurality of play list informations included in a same play list (Stores the PGC number for the associated playlist. The PGC number is the recording sequence of PGC information, col 11 lines 30-33).

Regarding claim 31, Murase teaches the information record medium according to claim 27, wherein attribute information indicating an inherent attribute is added to each of the plurality of play list informations included in a same first information, and the title element further includes a selectable flag indicating that one of the plurality of play list informations included in the same first information is selectable depending on the attribute information (The Application Flag is recorded for the sub picture attributes. This field is the same as SP_ATR described above with reference to M_VOB_ST1, col 18 lines 19-22).

Regarding claim 32, Murase teaches the information record medium according to claim 27, wherein the title element further includes selection condition information indicating a selection condition about each of the plurality of play list informations included in a same first information (FIG. 41 is used to describe to first exemplary play list presentation and selection screen).

Regarding claim 33, Murase teaches the information record medium according to claim 29, wherein any one of the plurality of play list informations included in the same first information defines the reproduction sequence of content information capable of composing a same title (If information indicative of the playlist content is recorded as the optional IT_TXT block in addition to the above-noted primary text, the IT_TXT_SRP number is stored as a link to the IT_TXT recorded in TXTDT_MG. This IT_TXT_SRP number is the recording sequence in TXTDT_MG, described below, col 11 line 44-49).

Regarding claim 34, Murase teaches the information record medium according to claim 26, wherein each play list information includes at least one play list element, the play list element includes a second pointer information to designate the play item information, which is logically accessible reproduction unit and composes the content information (The play list search pointer table PL_SRPT records play list search pointer table information PL_SRPTI and n play list search pointer PL_SRP, col 11 lines 7-10).

Regarding claim 35, Murase teaches the information record medium according to claim 34, wherein the play list element includes, in addition to the second pointer information (The play list search pointer table PL_SRPT records play list search pointer table information PL_SRPTI and n play list search pointer PL_SRP, col 11 lines 7-10), at least one of (i) a second pre-command information to indicate a command to be executed before a reproduction of one play item information designated by the second pointer information, (ii) a second post command information to indicate a command to be executed after the reproduction of said one play item information, and (iii) a second next information to designate a play list element to be reproduced after the presently

reproduced play list element (The track buffer 7807, decoder 7806, and output section 7805 are initialized by a command from the system controller 7802. The system controller 7802 then instructs the disc drive to seek the start address of the AV data in the first VOB of the selected program, para 27 lines 13-17).

Regarding claim 36, Murase teaches the information record medium according to claim 26, wherein each of the plurality of first information includes, in addition to the plurality of play list informations, an item definition table to define the play item information, the play item information being a logically accessible reproduction unit and composing the content informations, and each of the plurality of play list informations defines the reproduction sequence of the content informations by a unit of the play item information (playlist titles are shown in the middle column, such as "Fall in Oze" and "Concert". This information is stored to the PRM_TXTI field of the playlist search pointer PL_SRP in the playlist search pointer table PL_SRPT written to the optical disc, col 26 lines 35-40).

Regarding claim 37, Murase teaches the information record medium according to claim 34, wherein the play item information comprises information, which defines a reproduction start address of the content information as in-point information and defines reproduction end address of the content information as out-point information (start and end address col 10 lines 49 to col 11 line 19).

Regarding claim 38, Murase teaches the information record medium according to claim 26, wherein a whole stream including a plurality of partial streams made of the plurality of content informations is multiplexed by a packet unit which is a physically accessible

unit and stores pieces of the plurality of content informations, and relationship definition information defining a relationship between packets to be multiplexed and the plurality of partial streams is further recorded, as reproduction control information to control a reproduction of the plurality of content informations (The resulting compressed video and audio streams are multiplexed to a single stream using a method known as the MPEG system. FIG. 37 shows the organization of an MPEG system stream. As shown in FIG. 37, each 2 KB sector comprises a pack header 41, packet header 42, and payload 43. The MPEG system thus has a hierarchical structure comprising packs and packets. Each packet comprises a packet header 42 and payload 43, col 3 lines 38-46).

Regarding claim 39, Murase teaches an information record apparatus (see Fig. 34) comprising: a first record device for recording a plurality of content informations (FIG. 1 shows the physical sector address area of the disc, and the structure whereby data is recorded to the disc as part of a file system); a second record device for recording a plurality of first information each defining a plurality of play list informations each defining a plurality of play item information each defining reproduction sequence of the plurality of content informations (Stores text information indicative of playlist content, para 11, lines 38-50); a third record device for recording second information including address information which designates the part of content informations corresponding to the play item information (stores address information for accessing each M_VOBI, col 15 line 10); and a fourth record device for recording third information designating at least one first information, which corresponds to the content information to be reproduced, from among the plurality of first information to reproduce the content

information as a title, the title being a logical information unit of the content information informations (if the play list is a television program, PRM_TXTI could record the name of the show, para 11 lines 38-50) wherein the plurality of content informations are collectively recorded as a file which is different from files for recording the plurality of first informations, the second information and the third information, the second information is collectively recorded as a file which is different from files for recording the plurality of content informations, the plurality of first informations and the third information, the third information is collectively recorded as a file which is different from files for recording the plurality of content informations, the plurality of first informations and the second information (by using a file system, data recorded to the disc can be managed as files and a directory to the files as shown in FIG. 1).

Regarding claim 40, Murase teaches an information record method comprising: a first record process of recording a plurality of content informations (FIG. 1 shows the physical sector address area of the disc, and the structure whereby data is recorded to the disc as part of a file system); a second record process of recording a plurality of first information each defining a plurality of play list informations each defining a plurality of play item information each defining reproduction sequence of the plurality of content informations (Stores text information indicative of playlist content, para 11, lines 38-50); a third record process of recording second information including address information which designates the part of content informations corresponding to the play item information (stores address information for accessing each M_VOBI, col 15 line 10); and a fourth record process of recording third information designating at least one first

information, which corresponds to the content information to be reproduced, from among the plurality of first information to reproduce the content information as a title, the title being a logical information unit of the content information (if the play list is a television program, PRM_TXTI could record the name of the show, para 11 lines 38-50) wherein the plurality of content informations are collectively recorded as a file which is different from files for recording the plurality of first informations, the second information and the third information, the second information is collectively recorded as a file which is different from files for recording the plurality of content informations, the plurality of first informations and the third information, the third information is collectively recorded as a file which is different from files for recording the plurality of content informations, the plurality of first informations and the second information (by using a file system, data recorded to the disc can be managed as files and a directory to the files as shown in FIG. 1).

Regarding claim 41, Murase teaches an information reproduction apparatus (see Fig. 34) for reproducing the information record medium according to claim 26, said apparatus comprising: a reproduction device capable of reproducing the plurality of content informations, the plurality of first informations, the second information and the third information (The titles contained in the playlist are recorded in primary text information PRM_TXTI, col 26 lines 15-18); and a control device for (i) selecting at least one play list set designated by the third information reproduced by the reproduction device, from among the plurality of first informations reproduced by the reproduction device and (ii) controlling the reproduction device to reproduce the content information

in accordance with the reproduction sequence defined by the plurality of play item informations, defining the reproduction sequence of the content information to be reproduced, which are defined by one play list information, from among the plurality of play list informations included in the selected first information (It should be noted that this play list defining process can be accomplished by means of the system controller 7802 operating in conjunction with user interface 7801 shown in FIG. 40, col 23 lines 64-67).

Regarding claim 42, Murase teaches an information reproduction apparatus (see Fig. 34) for reproducing the information record medium according to claim 29, said apparatus comprising: a reproduction device capable of reproducing the plurality of content informations, the plurality of first informations, the second information and the third information (The titles contained in the playlist are recorded in primary text information PRM_TXTI, col 26 lines 15-18); and a control device for (i) selecting at least one first information designated by the third information reproduced by the reproduction device, from among the plurality of first informations reproduced by the reproduction device and (ii) controlling the reproduction device to reproduce the content information in accordance with the reproduction sequence defined by the plurality of play item informations, defining the reproduction sequence of the content information to be reproduced (It should be noted that this play list defining process can be accomplished by means of the system controller 7802 operating in conjunction with user interface 7801 shown in FIG. 40, col 23 lines 64-67), which are defined by one play list information, from among the plurality of play list informations included in the selected

first information, wherein the control device selects said one play list information from among the plurality of play list informations included in the first information, on the basis of the first pre-command information (The track buffer 7807, decoder 7806, and output section 7805 are initialized by a command from the system controller 7802. The system controller 7802 then instructs the disc drive to seek the start address of the AV data in the first VOB of the selected program, para 27 lines 13-17).

Regarding claim 43, Murase teaches an information reproduction apparatus (see Fig. 34) for reproducing the information record medium according to claim 31, said apparatus comprising: a reproduction device capable of reproducing the plurality of content informations, the plurality of first informations, the second information and the third information (The titles contained in the playlist are recorded in primary text information PRM_TXTI, col 26 lines 15-18); and a control device for (i) selecting at least one first information designated by the third information reproduced by the reproduction device, from among the plurality of first informations reproduced by the reproduction device (It should be noted that this play list defining process can be accomplished by means of the system controller 7802 operating in conjunction with user interface 7801 shown in FIG. 40, col 23 lines 64-67) and (ii) controlling the reproduction device to reproduce the content information in accordance with the reproduction sequence defined by the plurality of play item informations, defining the reproduction sequence of the content information to be reproduced, which are defined by one play list information, from among the plurality of play list informations included in the selected first information (The track buffer 7807, decoder 7806, and output section 7805 are

initialized by a command from the system controller 7802. The system controller 7802 then instructs the disc drive to seek the start address of the AV data in the first VOB of the selected program, para 27 lines 13-17), wherein the control device selects said one play list information from among the plurality of play list informations included in the selected first information, on the basis of the attribute information, if it is indicated by the selectable flag that the play list information is selectable (The Application Flag is recorded for the sub picture attributes. This field is the same as SP_ATR described above with reference to M_VOB_STI, col 18 lines 19-22).

Regarding claim 44, Murase teaches an information reproduction apparatus (see Fig. 34) for reproducing the information record medium according to claim 32, said apparatus comprising: a reproduction device capable of reproducing the plurality of content informations, the plurality of first informations, the second information and the third information (The titles contained in the playlist are recorded in primary text information PRM_TXTI, col 26 lines 15-18); and a control device for (i) selecting at least one first information designated by the third information reproduced by the reproduction device, from among the plurality of first informations reproduced by the reproduction device (It should be noted that this play list defining process can be accomplished by means of the system controller 7802 operating in conjunction with user interface 7801 shown in FIG. 40, col 23 lines 64-67) and (ii) controlling the reproduction device to reproduce the content information in accordance with the reproduction sequence defined by the plurality of play item informations, defining the reproduction sequence of the content information to be reproduced, which are defined by one play list information,

from among the plurality of play list informations included in the selected first information, wherein the control device selects said one play list information from among the plurality of play list informations included in the selected first information, on the basis of the selection condition information (The track buffer 7807, decoder 7806, and output section 7805 are initialized by a command from the system controller 7802. The system controller 7802 then instructs the disc drive to seek the start address of the AV data in the first VOB of the selected program, para 27 lines 13-17).

Regarding claim 45, Murase teaches an information reproduction method of reproducing the information record medium according to claim 26, said method implemented with an information reproduction apparatus comprising a reproduction device capable of reproducing the plurality of content informations, the plurality of first informations, the second information and the third information (The titles contained in the playlist are recorded in primary text information PRM_TXTI, col 26 lines 15-18);, said method comprising: a first control process of selecting at least one first information designated by the third information reproduced by the reproduction device, from among the plurality of first informations reproduced by the reproduction device and a second control process of controlling the reproduction device to reproduce the plurality of content informations in accordance with the reproduction sequence defined by the plurality of play item informations, defining the reproduction sequence of the content information to be reproduced, which are defined by one play list information, from among the plurality of play list informations included in the selected first information (The track buffer 7807, decoder 7806, and output section 7805 are initialized by a

command from the system controller 7802. The system controller 7802 then instructs the disc drive to seek the start address of the AV data in the first VOB of the selected program, para 27 lines 13-17).

Regarding claim 46, Murase teaches a computer readable recording medium recording thereon a computer program for a record control to control a computer disposed at the information record apparatus according to claim 39, said program making the computer function as at least a part of the first record device, the second record device, the third record device and the forth record device (It should be noted that this play list defining process can be accomplished by means of the system controller 7802 operating in conjunction with user interface 7801 shown in FIG. 40, col 23 lines 64-67).

Regarding claim 47, Murase teaches a computer readable recording medium recording thereon a computer program for a reproduction control to control a computer disposed at the information reproduction apparatus according to claim 41, said program making the computer function as at least a part of the reproduction device and the control device (It should be noted that this play list defining process can be accomplished by means of the system controller 7802 operating in conjunction with user interface 7801 shown in FIG. 40, col 23 lines 64-67).

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENOK G. HEYI whose telephone number is (571)270-1816. The examiner can normally be reached on Monday to Friday 8:30 to 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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